

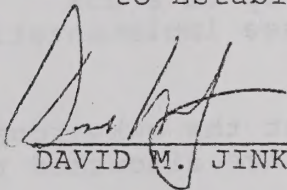
AGENDA ITEM
MAY 2, 1988 CITY COUNCIL MEETING
CERTIFICATION OF FINAL EIR FOR GENERAL PLAN UPDATE,
ADOPTION OF GENERAL PLAN DOCUMENTS, AND
WAIVER OF FIRST READING AND INTRODUCTION OF ORDINANCE NO. 880
- GROWTH MANAGEMENT ORDINANCE -

City Manager's Comments:

The following actions will conclude years of work on the General Plan Update and on a sound Growth Management Ordinance. Although the process has been tedious and time consuming, the related documents are some that the entire City of Manteca can be proud of in planning for Manteca's future.

It is recommended that after taking public testimony, Council take the following action in the following order:

- 1) Review and certify the Final Environmental Impact Report (Assessment Report) for the General Plan Update.
- 2) Adopt Resolution No. 8210, "A Resolution of the City Council of the City of Manteca Certifying the Environmental Impact Report for, and Adopting, the General Plan and Providing for Periodic Review of the General Plan," which incorporates the Background Report, the Policy Document, the Growth Management Program, and the findings as outlined in Exhibit A.
- 3) Waive the first reading and introduce Ordinance No. 800, "An Ordinance Adding Article 17 to the Manteca Zoning Ordinance, to Establish a Community Growth Management Program."



DAVID M. JINKENS

M E M O R A N D U M

TO: Dave Jinkens, City Manager

FROM: Phil Sanguinetti, Planning Director 

DATE: April 28, 1988

SUBJECT: ADOPTION OF GENERAL PLAN

The Planning Commission on March 29, held a final proforma (as to form) hearing on the General Plan. On April 26, the Commission reviewed the final E.I.R. (Assessment Report) for the General Plan. This was not a public hearing, but, a proforma review.

Comments by the Planning Commission on the General Plan Policy Document are included in the attached minutes. The following is a staff response to public and Commission questions and concerns:

(1) Commissioner Elliott felt that policy 4 on page 11 was not realistic. This was a policy decision by the City Council after much discussion and rewording of the original policy.

(2) George Vitek's comments are noted in the March 29 minutes. There is an entire section in the policy document devoted to public facilities and services. Light rail as a concept did not generate a need to develop a policy statement up to now. Our sewage treatment plant does not generate enough gas to make co-generation a viable option.

(3) Commissioner Blahniks question about density bonus change in residential zoned areas cannot be controlled at the local level. We are required by State law under housing to provide up to a 25% density bonus for low-moderate income households (see implementation program 1, page 22).

(4) Again, Commissioner Blahnik was concerned about the awkwardness on the wording of policy 5, page 20. I agree and have discussed the possibility of a rewrite with our Consultant.

(5) Policy 5, page 13 should read in part, Amstar Corporation, Spreckels Sugar Division (request by Commissioner Elliott).

(6) Reference to Stanislaus State on pages 42 and 44 should read, California State University at Stanislaus.

Staff and the Consultant are also recommending that an additional policy be added to Section III, Transportation, which reads; The City shall undertake a feasibility study to establish an alternative future alignment for a portion of Lathrop Road. Should the policy be added, a time frame for conducting the study will^{cc} be inserted in the implementation program section.

The Planning Commission had no additional questions on the Final E.I.R. (Assessment Report). It was determined by a unanimous vote that the E.I.R. met the test of adequacy and a recommendation to certify the document is being forwarded to the City Council.

For the Planning Commissions information, it was noted that the Quantified Objectives table (page 28, Policy Document), summarizing housing needs, has been slightly altered to maintain consistency with the proposed Growth Management Ordinance. Also, minor editing and typographical error correction has been made to the Background Report (see Revisions to Background Report errata sheet).

Resolution #790 (enclosed) was approved by the Planning Commission recommending adoption of the proposed General Plan to the City Council. The proposed Growth Management Ordinance is accompanying the General Plan as a companion document to provide for implementation of a growth management plan for the City.

The following format for final review and adoption of the Plan is suggested:

- (1) Review and certify the Final Environmental Impact Report (Assessment Report) for the General Plan Update.
- (2) Adopt Resolution No. 8210, "A Resolution of the City Council of the City of Manteca Certifying the Environmental Impact Report for, and Adopting, the General Plan and Providing for Periodic Review of the General Plan," which incorporates the Background Report, the Policy Document, the Growth Management Program, and the findings as outlined in Exhibit A.
- (3) Waive the first reading and introduce Ordinance No. 800, "An Ordinance Adding Article 17 to the Manteca Zoning Ordinance, to Establish a Community Growth Management Program."

RESOLUTION NO. 8210

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR, AND ADOPTING, THE GENERAL PLAN AND PROVIDING FOR PERIODIC REVIEW OF THE GENERAL PLAN.

WHEREAS, in May 1985, the City Council of the City of Manteca initiated a comprehensive revision of its 1980 General Plan in conformance with California Government Code Sections 65300, et seq; and

WHEREAS, in May 1985, the firm of J. Laurence Mintier & Associates was hired by the City as planning consultants to prepare the revision to the General Plan; and

WHEREAS, the planning consultant, together with members of its consultant team, carried out an identification process consisting of a townhall meeting, public official interviews, and written responses from the community at large; and

WHEREAS, based on the identification process the planning consultant and its consultant team prepared and published in March 1986 a detailed draft Background Report describing and assessing existing environmental and developmental conditions, constraints, and opportunities in the City; and

WHEREAS, the planning consultant and its consultant team, working closely with City staff and a citizens advisory committee, developed four land use options for consideration by the Planning Commission and the City Council; and

WHEREAS, each option was assessed by the planning consultant and its consultant team as to its impacts on, and implications for, land use, population, housing, traffic, public services and facilities, environmental quality, and economic and fiscal conditions; and

WHEREAS, the results of those assessments were summarized in an "Options Assessment Report" published in October 1986; and

WHEREAS, that report was released for public review at a townhall meeting in November 1986; and

WHEREAS, the report was reviewed by the Planning Commission at five hearings between November 1986 and February 1987, during which public comments were received; and

WHEREAS, the report was reviewed by the City Council at nine hearings between February and April, 1987, during which public comments were received; and

WHEREAS, on April 19, 1987, the City Council made its final recommendations, and directions, to the planning consultant on the preferred land use plan; and

WHEREAS, based on those recommendations, and directions, the planning consultant and its consultant team prepared the draft goals, policies, and implementation programs constituting the "Policy Document" of the General Plan; and

WHEREAS, concurrent with the preparation of the Policy Document, the planning consultant and its consultant team updated the draft Background Report and prepared a draft General Plan Assessment Report (EIR) to: 1) meet the requirements of the California Environmental Quality Act, and 2) assess the economic and fiscal impacts and implications of the draft General Plan; and

WHEREAS, the draft Policy Document, updated Background Report, and draft Assessment Report were released for public review in September 1987; and

WHEREAS, the draft General Plan documents (including the draft EIR) were sent to the state clearinghouse and to local agencies for a forty-five (45) day review period (commencing September 21, 1987 and ending November 5, 1987); and

WHEREAS, the draft general plan documents (including the draft housing element) were sent to the California Dept. of Housing and Community Development for review pursuant to Government Code Section 65585; and

WHEREAS, a joint City Council - Planning Commission study session was held regarding those draft documents on September 22, 1987; and

WHEREAS, the Planning Commission received public testimony on the draft General Plan documents (including the draft EIR) at a noticed public hearing on September 29, 1987 and the City council received public testimony on those same documents at noticed public hearings on January 25, 1988 and February 2, 1988; and

WHEREAS, four hearings and meetings concerning those draft documents were held by the Planning Commission, and four hearings and meetings for the same purpose were held by the City Council, all between September 1987 and April 1988; and

WHEREAS, the planning consultant, together with its consultant team, prepared the final General Plan Policy Document, the final General Plan Background Report, and final Assessment Report (Final EIR), based on the direction of the City Council and comments received on the final General Policy Document and Assessment Report (Final EIR); and

WHEREAS, the Planning Commission recommended the certification of the Assessment Report (EIR) and the adoption of the General Plan,

by the affirmative vote of not less than a majority of its total membership, and has communicated that certification and recommendation in writing to the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANTECA FINDS AND RESOLVES AS FOLLOWS:

1. Finds that it has carefully studied and considered all of the information and opinions provided to it by the public review process, the recommendations of the Planning Commission, and the information contained in the updated Background Report, the Assessment Report (Final EIR), and the Policy Document.
2. Finds that the Planning Commission has recommended to it that the Final EIR be certified and that the proposed General Plan revision be adopted.
3. Finds that numerous significant impacts of the proposed land use plan were identified in the draft and final Assessment Report, and that all but two of said impacts will be mitigated to a level of less than significant by policy and programs contained in the General Plan Policy Document.
4. Finds that the two potentially significant adverse environmental impacts are serious traffic congestion at various intersections and road segments (Chapter 4 of the Final EIR); and the loss of agricultural soils and lands, and the cancellation or non-renewal of Williamson Act Contracts (Chapter 7 of the Final EIR).
5. Finds that considerations of state policy regarding the identification of provision for adequate housing for the existing and projected needs all economic segments of the state, region, and community override and outweigh the two potentially significant unmitigatable adverse impacts described in Finding 3 above.
6. Finds that the proposed Assessment Report (Final EIR) meets the requirements of the California Environment Quality Act.
7. Finds that it has carefully considered the proposed General Plan revision, has noticed and held the required public hearings, and that the proposed revised General Plan consists of the elements required to be included and in addition contains some of the elements permitted to be included and that the plan provides a suitable and logical plan for the future development of the City of Manteca.
8. Resolves that the Findings Regarding Community Growth Management Program set forth in Appendix B of the General Plan Policy Document are approved and adopted.
9. Resolves that the Assessment Report (Final EIR) is certified as addressing all the points and elements required of an EIR by the California Environmental Quality Act.

10. Resolves that the document consisting of maps, charts and reports entitled "City of Manteca General Plan" (consisting of the General Plan Background Report and the General Plan Policy Document), and dated May, 1988 is adopted as the General Plan of the City of Manteca under the authority of the California Government Code.

11. Resolves that in order to keep the general plan current with the needs of the city and so that it represents the most current and comprehensive ideas of the city council, planning commission and other boards and commissions of this city, and of the citizens at large, in the light of changing conditions, the planning commission shall periodically review the general plan and recommend to the city council not less often than annually such extensions, changes or additions to the general plan which the planning commission considers necessary. If the planning commission finds that no changes are necessary, it shall report this finding to the city council. The planning commissions review procedure shall be timed so that amendments to the general plan may be adopted by the city council before the city begins the formulation of a capital improvement program for the ensuing fiscal year.

12. Resolves that the planning commission is designated as the official agency to receive the list of proposed public works and to classify recommendations for public works and to prepare a coordinated program of proposed public works for each fiscal year. It is the intention of the city council that the general plan be the guide for the capital improvement program of the city. The planning commission shall submit an annual report to the city council regarding the capital improvement program. The annual report shall review each proposed project for its conformity to the general plan, reviewing the program as a whole in order to suggest changes or modifications.

13. Resolves that the planning commission is designated as the planning agency having jurisdiction to pass upon the conformity with the adopted general plan of the location, purpose, and extent of the acquisition of real property, the disposal of real property, or the authorization or construction or both of a public building or structure within the city.

14. Resolves that the city clerk shall endorse upon the general plan the fact of its adoption by this resolution and the date.

The foregoing resolution was introduced at a meeting of the City Council of the City of Manteca held on May ____, 1988, and adopted at a meeting held on ____, 1988, by the following vote:

AYES:

NOES:

ABSENT:

JACK C. SNYDER, Mayor

ATTEST:

JOANN C. TILTON
City Clerk

EXHIBIT A

CITY OF MANTECA GENERAL PLAN FINDINGS REGARDING COMMUNITY GROWTH MANAGEMENT PROGRAM

The City Council hereby finds and determines as follows:

(a) This revised General Plan is adopted pursuant to California Government Code Section 65300 et seq.

(b) As revised, the General Plan contains growth management and other related goals and policies.

(c) The City's population has been growing at a faster rate than both the County and the State. Between 1980 and 1987, the City's population increased by approximately 49%. By comparison, during the same period the County's population increased by approximately 25%, and the State's population increased by approximately 15%.

(d) In 1980, Manteca had approximately 6.8% of the County's housing stock. From 1981 to 1987, the City issued approximately 16.5% of the single-family, and 18% of the multi-family building permits issued in the County as a whole. By 1987, Manteca's share of the County's housing stock had increased to approximately 8%.

(e) During the 1970-84 period the City processed and permitted an average of 417 housing units per year. In 1985, 1164 housing units were built in the City. Also in 1985, due to increased development pressures and a lack of adequate

sewage treatment capacity, it was necessary for the City to adopt an interim ordinance and extending interim ordinances to limit further development while the City's problems regarding the lack of adequate sewage treatment capacity were studied and resolved.

(f) In reaction to that increased demand for sewage treatment capacity, the sewer plant serving the City was expanded. The sewer treatment plant expansion for the "Phase I" expansion was completed in 1987. The Phase I expansion is forecasted to provide capacity for approximately three years of growth. The City is currently developing plans for its Phase II sewer treatment plant expansion. The Phase II expansion will provide an approximate additional 1,279,500 gallons per day of treatment capacity, allowing for additional development (after Phase I) for approximately six years of growth. With the completion of the Phase II capacity expansion, the City will need to consider construction of a second sewer treatment plant adjacent to the existing plant or an entirely new plant in another location.

(g) The City Council now finds it necessary to coordinate Phase I and Phase II sewer treatment capacities with the number of building permits issued for residential, commercial, industrial and other development to ensure that new development does not exceed the amount of available sewer capacity. To this end, the City Council intends to adopt a Community Growth Management Program ("Growth Program") for

Phase I and by subsequent resolution for Phase II, a Sewer Allocation System which shall distribute available sewage treatment capacity between residential, commercial, industrial and other development.

(h) Further, while the City has immediate sewage treatment capacity constraints which must be addressed, the City also has short and long term General Plan goals and policies which must be implemented. To this end, the City must be able to critique and rate competing development proposals through a "Point Rating System" to ensure that only those projects which best further the goals and policies of the General Plan may use the sewage treatment capacity available.

(i) It is the purpose and intent of this General Plan to provide a policy foundation for establishing a mechanism and approach by which a steady, orderly and balanced rate of annual residential, commercial, industrial and other development growth in the City can be achieved, and advancing the housing opportunities of the region in which the City is situated, while balancing that desired growth and new housing need against the existing and projected public service, facility and protection needs of the City's residents and the existing and projected City fiscal, environmental, and public service resources and constraints, in an effort to, among other things:

- (1) Protect against premature development in the absence of necessary sewage treatment capacity in Phase I and Phase II, by

ensuring that capacity is available and effectively staged, financed and allocated in a manner which will protect against the overextension of existing facilities, will allow existing services to be brought up to required and necessary standards, and will minimize, by means of long-range planning, the avoidable costs of short-sighted facility expansion;

- (2) Protect against premature development in the absence of other necessary services, facilities and protections, by ensuring that those services, facilities and protections provided by the City and/or other service agencies operating in the City, can be properly and effectively staged and financed in a manner which will protect against the overextension of existing facilities, will allow existing services to be brought up to required and necessary standards, and will minimize, by means of long-range planning, the avoidable costs of short-sighted facility expansion;

- (3) Provide quality housing opportunities for all economic sectors of the community and region, and provide significant incentives

to developers to include low and moderate-income housing in their developments;

- (4) Provide a proper balance between residential, commercial, industrial and other development;
- (5) Provide a proper balance between single and multi-family residential development in order to implement the residential mix goals and policies of the General Plan; and
- (6) Provide a short- and longer-range growth rate comensurate with the City's historical and projected growth needs.

(j) The regional housing needs, as defined by Government Code Section 65584, of the region in which the City is situated and the City's fair share allocation of those housing needs are addressed in the San Joaquin Council of Governments ("County COG") publication entitled "San Joaquin County Fair Share Housing Allocation 1986-90." The housing need projections contained in that publication, as well as the modification to those needs projections based on household projections prepared by the State Department of Finance, were coordinated and are set forth in the General Plan as follows:

	<u>Year</u> <u>86/87</u>	<u>Year</u> <u>87/88</u>	<u>Year</u> <u>88/89</u>	<u>Year</u> <u>89/90</u>	<u>Year</u> <u>90/91</u>	<u>Year</u> <u>91/92</u>	<u>Total</u>
1) County COG Fairshare	381	381	381	381	381	381	2,286
2) General Plan Projected Units	167	1,278	249	248	585	608	3,135

(k) The County COG has also projected future annual growth-rate scenarios for the City for each of the years 1985 through 2010 (presuming adequate sewer capacity). These projections are set forth in the General Plan Background Report. These annual growth-rate scenarios range from between 2% and 5%, depending upon a variety of different variables. The City Council has met and received input from various community individuals and groups regarding future annual growth rates and has determined that a longer-range average annual residential growth rate (i.e., once Phase II sewer capacity becomes available) of up to 3.9% will best serve the needs and desires of the entire community. At the same time, the City Council recognizes that the short-term growth rate for the City will be controlled by available Phase I sewer capacity.

(l) The General Plan and the Growth Program will not have a substantial adverse effect on the City's regional fair share (as determined by the County COG), and is compatible with state housing goals and regional housing needs because:

- (1) The annual residential growth rate allowed by the Growth Program under Phase I Sewer Allocation coupled with the recent growth

experience of the City prior to the adoption of this Growth Program (as described in paragraphs d, e and f above), will cumulatively allow more overall residential development (housing opportunities) than that contemplated by the County COG (as evidenced by paragraph k);

(2) The annual residential growth rate allowed by the Growth Program under Phase II sewer allocation will not exceed 3.9%. As set forth above, the County COG contemplates a future growth rate for the City of Manteca of between 2% and 5%. The maximum 3.9% growth rate is on the upper end of the County COG growth projection's and exceeds the total annual housing needs projected for the City by the County COG.

(3) The Point Rating Systems to be established pursuant to the Growth Program will, pursuant to the General Plan, provide incentives to developers to include low and moderate-income housing in their development proposals.

(4) The General Plan contains goals, policies, and implementation programs for the provision of housing to meet the needs of

all income groups in Manteca. Among twenty implementation programs listed in the Housing Element of the General Plan are programs calling for awarding of density bonuses for projects containing low- and/or moderate-income housing, active pursuit of all available and appropriate state and federal funding bonuses for new construction and rehabilitation, use by the City and Redevelopment Agency of Community Development Block Grant funds and tax increment revenues to subsidize on- and off-site infrastructure improvements for lower-income housing projects, use of redevelopment powers and revenues to assemble parcels and sell land to developers of lower-income housing projects at reduced rates, in special circumstances, waiving of City development fees for housing projects affordable to lower-income households, use of techniques such as mortgage revenue bonds to develop affordable housing and activation and use of the City's Housing Authority powers. Together, the goals, policies, and implementation programs of the Housing Element of the General Plan constitute a

good faith, diligent effort to meet the housing needs of all existing and projected income groups in the City.

(m) The General Plan and Growth Program presents a reasonable balance and accommodation of the public health, safety and welfare interests advanced by growth management on the one hand, and the public health, safety and welfare interests advanced by the continued provision of safe, sanitary and affordable regional housing on the other hand, because it advances the interests listed in paragraph (i) without adversely impacting the City's regional housing obligations as evidenced by paragraphs (j), (k) and (l).

(n) To the extent the General Plan and Growth Program may be determined to reduce the housing opportunities of the region, the findings contained in paragraph (i) herein as to the public health, safety and welfare interests promoted by the adoption of the General Plan Growth Program, particularly the interests in assuring that adequate sewage capacity is available, are hereby found to justify any such reduction in the housing opportunities of the region.

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CITY OF MANTECA

GENERAL PLAN

REVISIONS TO BACKGROUND REPORT

GENERAL FORMAT AND ORGANIZATION

The format is essentially unchanged. Each chapter has been page numbered independently (e.g. I-1, I-2; II-1, II-2; III-1, III-2, etc.). Minor editing and typographical error corrections have been made throughout the document.

CREDITS

- o Revised to reflect changes in the chair and vice-chair positions of the Planning Commission and changes in the vice-mayor position.

TABLE OF CONTENTS

- o Table of contents revised to reflect the new page numbering format.

INTRODUCTION

- o Required General Plan Elements table gridded for easy reading

CHAPTER I - LAND USE

- o Figure I-2 - Planning Area and Incorporated Manteca
Figure revised to reflect recent annexations
- o History of Land Use Planning in Manteca
Updated discussion of 1985-88 General Plan revision;
Added discussion of sewer moratorium and Growth Management Program
- o Existing Land Use
Discussion by geographic areas updated to reflect recent annexations
- o Table I-3 - City-owned Land
Revised to reflect recent additions
- o Figure I-5 - City-owned Property
Revised to reflect recent additions
- o Unincorporated Planning Area - Lathrop
Updated discussion regarding status of Lathrop incorporation study
- o Table I-5 - Pending Annexations
Updated to reflect currently pending annexations

- o Figure I-8 - Spheres of Influence Adopted by San Joaquin County LAFCO
Revised to show the correct Lathrop County Water District sphere of influence
- o Figure I-9 - Annexation History
Revised to reflect recent annexations
- o Major Regional Developments - Stockton
Updated information on Stockton Measure A
- o Superconducting Super Collider
Eliminated discussion due to federal decision against California as a possible site
- o Findings
Revised to reflect changes made in chapter

CHAPTER II - HOUSING

- o Corrected text references to 1980 census data throughout chapter to make them historical (i.e., were, not are; was, not is)
- o Housing Stock Growth and Composition
Revised text to be consistent with data presented in Table II-1 - Changes in Housing Stock Composition
- o Eliminated Table II-2 - Housing Profile because it contained information presented elsewhere in the chapter and was therefore unnecessary.
Renumbered subsequent tables
- o Table II-3 (former draft) - Residential Building and Demolition Permits
Updated to reflect complete information for 1987. Revised text accordingly.
- o Unit Size, Population per Housing Unit, Overcrowding
Revised text for clarification
- o Housing Age and Conditions
Revise to reflect only 1980 age information, rather than attempting to update census numbers with subsequent building permit information
- o Low-income Overpayment (Both Rental and Ownership)
Calculated numbers and added them to text
- o Housing Needs - Special Needs
Added discussion and heading "The Homeless and Other Persons with Emergency Shelter Needs" with supplemental information obtained from the San Joaquin County Human Services Agency and Love Thy Neighbor.
- o Services for Residential Development
Revised text to reflect findings from Chapter VI - Public Facilities and Services

- o Permit Processing
Supplemented text to include brief discussion of minimum and maximum time limitations
- o Added brief section and heading "Residential Energy Conservation Measures"

CHAPTER III - POPULATION

- o Table III-2 - Population Growth Comparison
Statistics updated to include 1986 and 1987 figures

CHAPTER IV - ECONOMIC CONDITIONS AND FISCAL CONSIDERATIONS

- o Fiscal Issues in Planning for Future Growth - Capital Improvements
Updated discussion on sewage treatment system expansion

CHAPTER V - TRANSPORTATION

- o Figure V-2 - Major Street and Circulation Plan
Revised to reflect changes and corrections
- o Figure V-6 - Traffic Counts - Unincorporated Planning Area
Revised to reflect 1986 data

CHAPTER VI - PUBLIC FACILITIES AND SERVICES

- o Water Service
Updated discussion relating to studies to supplement Manteca's well water with surface water sources
- o Sewage Collection and Treatment
Updated discussion of treatment plant expansion and allocation of expanded capacity
- o Storm Drainage
Added discussion of localized drainage problems
- o Solid Waste Disposal
Corrected solid waste generation figure from .25 cubic yard per person per day to per person per month
- o Medical Services
Eliminated discussion of Manteca Ambulance Service's expansion to two ambulance stations as this has not occurred
- o Findings
Revised to reflect changes made in chapter

CHAPTER VII - CULTURAL AND RECREATIONAL RESOURCES

- o Minor editorial revisions only

CHAPTER VIII - NATURAL RESOURCES

- o Groundwater
Revised discussion to reflect status of San Joaquin County regional water management study (study completed)
- o Soil and Agricultural Resources
Revised discussion per information presented in EIR
- o Sand and Gravel
Revised discussion to reflect present status of San Joaquin County mineral land classification study
- o Air Quality
Updated discussion per conversations with San Joaquin County Air Pollution Control District, added discussion of PM₁₀ (particulates)
- o Findings
Revised to reflect changes made in chapter
- o Persons Contacted
Added persons contacted in Background Report revision

CHAPTER IX - HEALTH AND SAFETY

- o Other Geological Hazards - Waste Disposal
Revised discussion of possible Lathrop hookup to Manteca's sewer system
- o 100-Year Flood Hazard
Revised to discuss County's pending appeal to remove portion of western Manteca from floodplain designation
- o Localized Drainage Problems
Updated per information in 1987 Master Storm Drainage Plan
- o Chart IX-2 - Flood Management Programs for San Joaquin County
Updated per most recent information from San Joaquin County
- o Findings
Revised to reflect changes made in chapter

CHAPTER X - SCENIC RESOURCES AND URBAN DESIGN

- o Minor editorial revisions only

APPENDIX A - MANTECA GENERAL PLAN REVISION COMMUNITY CONCERNS
SUMMARY REPORT

- o No changes

Commissioner Elliott - Page 13, #5. I don't think it is Spreckels Sugar operation. I would suggest that you find out the correct name for that operation.

Page 42 & 44 #1. It should be California State University at Stanislaus.

Chairman Moyer - We will hold off a recommendation until we have reviewed the Assessment Report.

OTHER SCHEDULED ITEMS:

D.O.L. #88-2, 252
LANCASTER DRIVE,
TWO PARCELS

Staff noted that this request is for the division of a parcel at 252 Lancaster Drive. There is currently an apartment complex and a contractor's office. This was meant to be split years ago but never was. This is categorically exempt from environmental evaluation. Staff is recommending approval.

It was moved and seconded (Blahnik-Wegener) to approve D.O.L. #88-2 subject to the following condition:

1. All conditions noted in the Public Works Department memo dated March 8, 1988.

Motion passes with the following voice vote:

AYES: Blahnik, Wegener, Elliott, Moyer

NOES: None

ABSENT: Nunes

USE PERMIT #78-2,
713 S. MAIN STREET,
STORAGE GARAGE,
REVIEW

This matter was placed on the agenda by Staff to see if the use is still in conformance with the original use permit. Staff has received several complaints recently regarding the storage yard. It was fenced off at the southerly end of the property on Lupton Street. Staff has contacted Mr. Brazil by letter and asked that the storage yard on Lupton be cleaned up. Staff is not recommending any type of action, as yet. Maybe the Planning Commission could send a letter regarding property appearance. And, if this use continues the way it has, we will begin revocation proceedings. Also, the Lupton Street property cannot be used for storage.

It was moved and seconded (Blahnik-Elliott) to set this for public hearing that the intent is to revoke or modify the use permit.

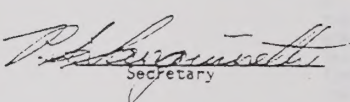
Motion passes with the following voice vote:

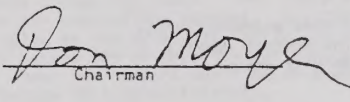
AYES: Blahnik, Elliott, Wegener, Moyer

NOES: None

ABSENT: Nunes

It was then unanimously voted to adjourn this regular meeting of March 29, 1988 at 8:10 p.m. The next regular meeting of the Manteca Planning Commission will be held on April 12, 1988.


Secretary


Chairman

Committee determined this project would not have an adverse impact on the environment and is recommending the filing of a negative declaration. The project provides on-site parking and landscaping in accord with regulations. Staff found the project to be in substantial compliance and is recommending approval.

Open Public Hearing.

No one spoke in favor or opposition.

Close Public Hearing.

It was moved and seconded (Wegener-Blahnik) to ratify Negative Declaration #88-1.

Motion passes with the following voice vote:

AYES: Wegener, Blahnik, Elliott, Moyer

NOES: None

ABSENT: Nunes

It was moved and seconded (Wegener-Elliott) to approve Site Plan #88-2 subject to the following condition:

1. Compliance with all site plan #88-2 conditions of approval.

Motion passes with the following roll call vote:

AYES: Wegener, Elliott, Blahnik, Moyer

NOES: None

ABSENT: Nunes

GENERAL PLAN
UPDATE - FINAL
REVIEW

Staff noted that this is a final proforma (as to form) public hearing on the General Plan Update Policy Document. The Assessment Report (Final E.I.R.) will then be reviewed by the Planning Commission on April 26 instead of April 12. The entire General Plan Document (Policy Document, Background Report, Assessment Report) and Growth Management Ordinance will then be forwarded onto the City Council for adoption. Hopefully, this action can take place at the first meeting in May. The City Council may make some minor changes prior to the final adoption.

Commissioner Elliott - On page 11, #4. Didn't we make some changes to this statement?

Staff - Yes, but the City Council also made changes.

Commissioner Elliott - Can we make changes?

Staff - You can bring it up and we can take the comments to the City Council.

Commissioner Elliott - Goal #4 on page 11 is not a realistic goal.

Chairman Moyer - I did not receive all of the maps in my packet. Were there any changes to them?

Staff - There was a change that included the area between Lathrop Road and Louise Avenue from Airport Way to the Western Pacific Railroad as being within the primary urban service area.

Open Public Hearing.

George Vitek, 1671 Olivewood. The policy document does not address the public utilities. Is there anything that address the light rail concept or future enhancement of the utilities? There are some cities that use their sewer treatment plants as co-generation plants. Maybe we could look at doing the same.

Chairman Moyer - We will pass on your concerns.

No one else spoke in favor or opposition.

Close Public Hearing.

Commissioner Blahnik - On page 7, part 1. The 25% bonus that as the densities go higher the bonus should be smaller.

Staff - We don't have any control over this. It is part of state law for housing.

Commissioner Blahnik - I think it should be that the high density have not more than 10% bonus.

Staff - We have the right to go up to 25%. We will check this out.

Commissioner Blahnik - Page 20, Goal 5. This is awkward.

Staff - This is again something in the state law. I will discuss with Mr. Mintier and see what we can come up with.

Mr. Brinton - Yes. If it is in fact made positive changes to the water system, for instance, it got more points than if it was a project clear out on the outer fringes where it had limited amount of water supply it would get less points.

Commissioner Blahnik - If they have to pay for those things anyway, why would you give them points?

Mr. Brinton - Everybody pays in the process of development, some of the public improvements are taxed more than others. For instances a project will tax the water flow and causes a decrease in the pressure for anyone else.

Commissioner Nunes - What would happen if the developer were to purchase a well and donate it to the City? Would he then be in a situation where he would get a higher point rating for doing that?

Mr. Brinton - It is possible that if a developer were to put in a well and improve the flow through adjacent portions of the Community he could receive a higher point total.

Commissioner Nunes - Will this stand up in a court of law with projects buying there way in?

Mr. Brinton - It is a little more complicated than that. We have a certain design criteria for the number of wells in a location. Every project cannot put a new well in to provide water just to make their project better. There is a price that goes with each piece of property.

Mr. Durkee - There is no right to develop in California. If somebody owns a piece of property and it does not have the financial means to put in what is required by the City to meet health and safety requirements, that is a bad investment by the property owner. We would not draft something that is not legal.

Commissioner Blahnik - What is the nexus for these findings. Your firm has done the appropriate research and is satisfied that each one of these things where it has a quantitative basis that you are comfortable with. You feel that there is enough evidence on these findings that will allow you to support this document.

Mr. Durkee - We take evidence that is given to us and that the documents have been researched. Our role is to take direction and be legal draftsman.

Staff - We have to retain a very viable consistency between the General Plan and the Growth Management Ordinance. We have to make sure that both of these documents complement one another.

Chairman Moyer - Will the Environmental Assessment Report function as the E.I.R. for this Ordinance also?

Mr. Durkee - Yes, that is right.

John Frederick, Legal Counsel. To explain the 3.9% there are at least 4 factors that were used for this figure. (1) The sewer plant capacity as exists. (2) How soon given development fees could the new expansion be on line. (3) The Council of Governments fair share that helped establish the minimum. And, (4) The ability of staff to process plans and maps. But, there could be more factors.

Mr. Brinton - Page 19, Table. This table will be amended soon. There are two controlling factors. The City Council wanted an 80%-20% split as far as single family and multi family dwellings. They also wanted 48% of capacity for single family and 10% for multi family. Those two numbers don't match exactly. We will recommend the percentage be altered slightly.

Open Public Hearing.

No one spoke in favor or opposition.

Close Public Hearing.

Chairman Moyer - We will hold off a recommendation until we have review the General Plan and Assessment Report.

OTHER SCHEDULED ITEMS:

D.O.L. #88-1, N/E
CORNER LOUISE AVENUE
AND UNION ROAD, FOUR
PARCELS, CONTINUED

COUNTY REFERRAL
#5A-88-31, SITE
APPROVAL FOR GARBAGE
DISPOSAL COMPANY AND
STORAGE YARD,
LATHROP

Chairman Moyer stated that this item would be continued until the May 24, 1988 meeting.

Staff noted that this County Referral is for the property located on McKinley Road. The company is currently occupying the site. The easterly third of the property is for the purpose of a refuse company and the rest for the parking of trucks from the highway. Staff recommends a favorable response to the County Planning Department.

Commissioner Nunes - Is there going to be a restriction of them not dumping refuse at this site.

Staff - The Growth Management Committee chose that rate because of the level of service and infrastructure. That percentage amount will change because of the base number of housing units will change on an annual basis.

Commissioner Blahnik - Page 2, subparagraph e. From 1980 to 1985 the City issued approximately 16.9% of the single family and 10.2% of the multi family building permits. By my calculations that shows a 9.7% increase. What growth rate during that period should we have had to maintain our 7.2% share of the County? Is that a fair share?

Mr. Durkee - The figures are there for history. The 3.9% was a policy decision.

Commissioner Blahnik - I am not arguing this from a policy decision. I think the figures need to be supported. I wish we had some background. We have so much information available to us that you should be able to come up with a clear quantitative derivation for these numbers. I am uncomfortable with saying this is a good document, because I don't know how we got there.

Mr. Durkee - This is not a final legal draft. This is a draft that is suitable for you to look at so that we can make changes. Paragraphs d and e on Page 2 the numbers have changed.

Commissioner Nunes - Page 6 the County COG fair share. Where does this come from?

Mr. Durkee - The County generate this document.

Staff - When we were under the moratorium there was a backlog of maps and there was an allocation made to accommodate the numbers that are shown in 1988-89.

Commissioner Nunes - Our projected units are 1,100 units more than the County, is this permissible?

Mr. Durkee - Yes. Those are minimum levels of COG. You can go beyond that level. COG and the State want to see new housing opportunities.

Commissioner Blahnik - Page 13, 80% of median income. Is there a document we can go back to on how you calculate median.

Mr. Durkee - This is a document by COG also.

Commissioner Blahnik - Page 18, Why the period 1987-90? Does anybody look to see if that squares with the ability to provide the police, fire, capital improvements, etc.?

Mr. Durkee - With the sewer capacity limitation then you are able to use the point system rating for the allocation system. This point system will answer these questions.

Commissioner Blahnik - Page 27, The carry over from the previous year. Do they automatically qualify for the next year. The way this reads is that in the ensuing years it is possible that the least worthy projects will go forward simply because they have met a minimum point value the year before.

Mr. Durkee - Projects coming in the door with a minimum score are worthy of approval and getting allocations. The important part would be that the minimum score does not result in bad projects. If you had 10 A's and you only need a C to get through the door some of those A's might not come to you before the C's have received some of those allocations. This does not guarantee that only the best will be built.

Staff - In evaluating projects what is good and is bad is hard to distinguish.

Commissioner Wegener - Page 16. The establishment of the Growth Management Committee. It seems sort of vague because it does not say how many will be on the Committee or who will be on it. Is that necessary?

Mr. Durkee - It is a question of timing. The Committee has not yet been made. These can be done by Resolution at a later time.

Chairman Moyer - I would like to hear Mr. Brinton's description of the point system.

Mike Brinton, Public Works Director. Right now the controlling factor is that we have a limited amount of sewage capacity. How long should that capacity last. There were a number of allocations given out for the current year. Half of them have been taken or in the process of being taken. That leaves us with approximately 600 or 700 remaining for the next two years. If the 3.9% growth rate is enacted and Phase II of the sewer treatment plant is completed then it appears we will have capacity for that rate for approximately 9 to 10 years. The point rate system is an attempt to rate the availability of water, sewer, fire protection, police protection and any other infrastructure and give it a number of points for each of those criteria. We came up with approximately 180 possible points. At any time there could be more projects that pass than there is available services.

Chairman Moyer - The demands that a project will create on infrastructure will cause that project to lose points.

MINUTES OF THE PLANNING COMMISSION
MEETING HELD TUESDAY, MARCH 15, 1988

The regular meeting of the Manteca City Planning Commission held on Tuesday, March 15, 1988 was called to order by Chairman Moyer, at 7:00 p.m.

The following Commissioners were present: Dave Blahnik, Don Moyer, Al Nunes, and Marsha Wegener. Marion Elliott was absent. Also present were Phil Sanguinetti, Planning Director; John Frederick, Asst. City Attorney; Michael Brinton, Public Works Director; Ron Waddle, Fire Department; Benjamin Cantu, Associate Planner; and Mary Gore, Planning Secretary.

PUBLIC HEARINGS:

USE PERMIT #88-4,
GARAGE CONVERSION,
527 SANTA ROSA CT.

Staff noted that this use permit is for the conversion of a two car garage into additional living area. Section 22-131 of the Zoning Ordinance requires use permit approval in order to convert a garage into living area. The project is exempt from further environmental review in accord with categorical exemption Class #1 of the CEQA guidelines. Staff is recommending approval.

Open Public Hearing.

Curtis Mothershed, 527 Santa Rosa Court. We have three kids and we wanted additional living space for a family room and hobby room.

Commissioner Moyer - Do you have any problems with the conditions?

Mr. Mothershed - No.

No one else spoke in favor or opposition.

Close Public Hearing.

It was moved and seconded (Nunes-Blahnik) to approve Use Permit #88-4 subject to the following conditions:

1. A building permit shall be secured for the conversion.
2. The garage door(s) shall remain in place.

Motion passes with the following roll call vote:

AYES: Nunes, Blahnik, Wegener, Moyer

NDES: None

ABSENT: Elliott

DRAFT GROWTH MANAGEMENT
ORDINANCE

Staff noted that this is the final legal draft for the Growth Management Ordinance. It has been reviewed extensively by the Committee and by Staff. Mike Durkee of McCutchen, Doyle, Brown and Enersen, the firm who prepared the draft is here tonight to make a presentation. We feel that the draft will afford the community a reasonable method to manage future growth. There are numerous sections which are part of the Growth Management Ordinance. Section 17-100 sets forth those necessary legal findings that will effectively help implement a controlled and manageable growth program. The system of sewer allocation is going to be annually determined by the City Council. The first phase carries us through 1990. The second phase allocation will begin in 1990 and will carry us in an indeterminate amount of time. By Resolution the City Council will be adopting a point rating system which will determine how allocations are made by staff and then the Growth Management Committee. We feel the Ordinance has been very well done. We have spent a lot of time on this. Staff would ask that you hold a recommendation to the City Council until you have had an opportunity to review the General Plan Policy Document and Background Report on March 29 and the Assessment Report (E.I.R.) on April 12 before you send the Growth Management Ordinance on to the City Council.

Mike Durkee, McCutchen, Doyle, Brown and Enersen. We were asked to take a look at this and provide legal counsel and guidance. We took Rudy Platzek's draft and put it in legal form. I would be happy to answer any questions.

Commissioner Blahnik - I would like to see some evidence of how you came up with the 3.9%. Is there a derivation of that number.

Mr. Durkee - The figures we used were compiled by staff and the General Plan documents. The Background document contains all the history that you see in this Ordinance.

Commissioner Blahnik - Maybe I am asking for something that is not available.

Staff - You are asking for where the 3.9% came from. The figure is based on the historical rate of growth that Manteca incurred through the years of 1970 through 1984. The 3.9 now represents approximately 500+ units per year. The historical rate of growth in the last 6 or 7 years has been approximately 540 units per year. The Growth Management Committee came up with that percent.

Commissioner Blahnik - I don't understand why we don't have some of that information as appendices to this document. We need to say what is our growth rate and what can we support.

BEFORE THE PLANNING COMMISSION OF THE
CITY OF MANTECA -- RESOLUTION 790
RECOMMENDING THE ADOPTION OF THE
PROPOSED GENERAL PLAN REVISION

WHEREAS, the City Council of the City of Manteca has caused to be prepared a comprehensive general plan revision for the physical development of the city and of the land outside its boundaries which in the judgment of this commission bears a relation to its planning; and

WHEREAS, during the formulation of the general plan this commission has consulted with and advised with public officials and agencies, public utilities, civic, educational, professional and other organizations and citizens generally to the end that maximum coordination of plans were secured and properly located sites for all public purposes are indicated on the general plan; and

WHEREAS, the general plan has been referred to other planning agencies as prescribed by law; and

WHEREAS, this commission has held public hearings on the adoption of the general plan and has given all interested persons an opportunity to be heard;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MANTECA FINDS AND DETERMINES AS FOLLOWS:

1. The general plan prepared by J. Laurence Mintier & Assoc. and its consultant team entitled "City of Manteca General Plan" consisting of the General Plan Background Report and the General Plan Policy Document and dated May, 1988 is approved.
2. The planning commission recommends adoption of the general plan by the city council.

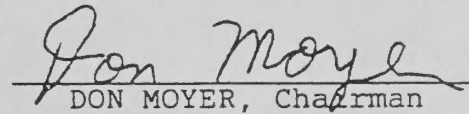
3. The secretary is directed to endorse upon the general plan this commission's approval and to transmit the general plan, together with a copy of this resolution, to the city council for further proceedings in accordance with the law.

The foregoing resolution was adopted at a meeting held on April 26, 1988, by the following vote:

AYES: Blahnik, Nunes, Elliott, Wegener, Moyer

NOES: None

ABSTAINS: None


DON MOYER, Chairman

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